IN THE SPECIFICATION

Please replace the Title of the invention with the following:

"NON-AQUEOUS ELECTROLYTE SECONDARY CELL WITH A LITHIUM METAL PHOSPHATE CATHODE"

Please replace the paragraph that begins on page 3, line 5 with the following paragraph:

The present invention is completed based on this information and provides a non-aqueous electrolyte secondary cell including a cathode employing a cathode active material containing a compound of the olivinic structure having the formula $Li_xFe_{1-y}M_yPO_4$, where M is at least one selected from the group consisting of Mn, Cr, Co, Cu, Ni, V, Mo, Ti, Zn, Al, Ga, Mg, B and Nb, with $0.05 \leq x \leq 1.2$ and $0 \leq y \leq 0.8$, an anode and an electrolyte solution in which the cathode, anode and the electrolyte solution are housed in a container. The amount of said electrolyte solution is adjusted to provide a void in the container of not less than 0.14 cc and not larger than 0.3 cc per 1Ah of the cell capacity.

Please replace the paragraph that begins on page 5, line 4 with the following paragraph:

The cathode active material contained in the layers of the cathode active material 8 is a compound of an olivinic crystal structure having the formula $Li_xFe_{1-y}M_yPO_4$, where M denotes at least one of Mn, Cr, Co, Cu, Ni, V, Mo, Ti, Zn, Al, Ga, Mg, B and Nb, with $0.05 \leq x \leq 1.2$ and $0 \leq y \leq 0.8$. This compound may be used either alone or in combination.

Please replace the paragraph that begins on page 9, line 4 with the following paragraph:

In the present embodiment, the $LiFePO_4$ carbon composite material is used as the cathode active material. However, the present invention is not limited thereto. In the present invention, $LiFePO_4$ by itself may be used as the cathode active material, or a compound having the formula $Li_xFe_{1-y}M_yPO_4$ of the olivinic structure and which is different from $LiFePO_4$, where M is at least one selected from the group consisting of Mn, Cr, Co, Cu, Ni, V, Mo, Ti, Zn, Al, Ga, Mg, B and Nb, with $0.05 \leq x \leq 1.2$ and

$0 \leq y \leq 0.8$, may be used as the cathode active material either singly or in combination with other materials. These compounds may be enumerated by, for example, $LiFe_{0.2}Mn_{0.8}PO_4$, $LiFe_{0.2}Cr_{0.8}PO_4$, $LiFe_{0.2}Co_{0.8}PO_4$, $LiFe_{0.2}Cu_{0.8}PO_4$, $LiFe_{0.2}Ni_{0.8}PO_4$, $LiFe_{0.25}V_{0.75}PO_4$, $LiFe_{0.25}Mo_{0.75}PO_4$, $LiFe_{0.25}Ti_{0.75}PO_4$, $LiFe_{0.3}Zn_{0.7}PO_4$, $LiFe_{0.3}Al_{0.7}PO_4$, $LiFe_{0.3}Ga_{0.7}PO_4$, $LiFe_{0.25}Mg_{0.75}PO_4$, $LiFe_{0.25}B_{0.75}PO_4$ and $LiFe_{0.25}Nb_{0.75}PO_4$.

Please replace the paragraph that begins on page 12, line 14 with the following paragraph:

According to the present invention, the amount of the non-aqueous electrolyte solution charged or the electrode width is adjusted to control the void in the container 6. Specifically, the amount of the void is set so as to range between 0.14 cc and 0.3 cc per 1Ah capacity.

Please replace the paragraph that begins on page 13, line 2 with the following paragraph:

On the other hand, if the void exceeds 0.3 cc, the cell is more vulnerable to shock, such as vibrations, while the energy density per unit cell volume is lowered to detract from the merit of using the olivinic lithium phosphorus oxide as a cathode active material.

Please replace the paragraph that begins on page 31, line 4 with the following paragraph:

However, in the Comparative Example 3, where the amount of the void calculated as 1Ah exceeds 0.3 cc, the lead was seen to have ruptured. It is not desirable to provide excess void in the container because the cell then is more vulnerable to shock, such as vibrations.

Please replace the paragraph that begins on page 31, line 8 with the following paragraph:

From the above experimental results, it may be said that the amount of the void calculated as 1Ah of 0.14 cc to 0.3 cc is desirable.